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ABSTRACT

Proposed New York State legislation to partially subsidize campus child care centers is summarized, along with testimony on the legislation and specific recommendations offered to the legislative committee. The legislation attempts to resolve at least two problems encountered by many student-parents: the lack of campus child care facilities, and the expense incurred for such services. Specific stipulations of Senate and Assembly versions of the legislation are identified. Based on the testimony and recommendations, it is suggested that child care programs be available not only to students and their children but also to children of faculty and staff, and if possible other children in the community. The involvement of faculty, staff, and community members who could pay higher fees would help provide space for children of low income student-parents. Several witnesses emphasized the importance of coordinating campus child care with campus academic programs in early childhood education. In addition, field experience in the campus child care centers could be offered for students in early childhood education and health services. Appendices include the text of the Senate legislation and a summary of New York State Department of Social Services regulations on child care centers. (SW)

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CAMPUS CHILD CARE CENTERS

Expanding Opportunities in Higher Education

New York State Senate
Committee on Higher Education
Senator Kenneth P. LaValle, Chairman

June, 1983

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CAMPUS CHILD CARE CENTERS

Expanding Opportunities in Higher Education

A Report by

the Chairman of the New York State Senate

Higher Education Committee

Senator Kenneth P. LaValle

Richard Q. Santora, Director
Mary Ann McLean-Austen, Counsel
Mary Jane Eddy, Assistant to the Director
Blanca Quinones, Senate Fellow

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INTRODUCTION

In the past two decades, our society has undergone a tremendous metamorphosis. Most noticeable have been the visual changes brought about by mechanical innovations. More profound, however, have been the subtle social changes dramatically altering our way of life -- the way we raise our children, the way we interact with other people, the way we plan for the future. Emphasizing this point, Governor Cuomo in his State-of-the-State Message, January, 1983, stated:

> The American Family has changed. In 1983, half of all women with children work; one of every five children lives with only one parent; one-third of all female-headed households in New York are at or below the poverty level. Day care is a fact of life for many families, an important part of their economic survival. Both the public and private sectors must recognize the growing importance of this service to the effectiveness and productivity of their work forces.

While realizing the enormity of the forces working on our daily lives and in an effort to sensitize us to the effects of these changes, Alvin Toffler, author of Future Shock and The Third Wave, speaks of the electronic cottage -- a place where all roads of change meet to produce an emerging new society. The technocrats, the politicians and the educators agree at least on the fact that the residents of the new cottage must be both highly educated at the beginning of their career and able to retrain as new information emerges. Further, they agree that innovative planning techniques are critical to maintaining a healthy society requiring fluidity in its educational choices. Consequently, no one denies the need for a strong planning component to support appropriate program initiatives which are anticipated to meet the needs of the students of the future.

From an educational planning perspective, it has become clear that post-secondary institutions must be prepared to accept what educationalists are calling the nontraditional students -- older men and women with children -- attending school for the first time or involved in retraining to acquire special skills. Barriers facing these individuals are being identified and eliminated. One such support service needed for these students will be affordable child care facilities

on campus. As the Chairman of the Senate Higher Education Committee, I drafted legislation (S.4033) to address this concern and held the first State hearing on the subject. The results of this hearing are the subject of this report.

The New York State Legislature is currently considering whether to partially subsidize campus child care centers to assist student-parents in pursuit of higher education. Both the Senate and the Assembly have introduced legislation (S.4033/A.7127) in an attempt to resolve at least two problems encountered by many student-parents -- the lack of campus child care facilities, and the expense incurred for such services. As a result of these problems, many student-parents are gravely disadvantaged in achieving their goals of self-sufficiency.

Although campus child care facilities must charge fees to cover maintenance and operational costs, some facilities attempt to ease the burden by using a sliding scale whereby fees are adjusted pursuant to the parent's income. The cost may vary from $25 to $200 per month. However, even if the minimum fee is $25 a month, it may be prohibitive for the indigent student-parent who, while attending classes full-time, might only find work which pays the minimum wage.

In addition to this financial strain, students are often unable to obtain child care services for their children. In 1982, surveys and reports indicated that 40% of the 64 campuses in the State University system, 17% of the 135 independent colleges and universities and 56% of the campuses in the City University system offer child care services. Existing child care facilities at SUNY, CUNY, and the independent colleges and universities have indicated long waiting lists for admission to many of their facilities. Consequently, because of the inability to pay and because the centers have reached their maximum capacity, student-parents have difficulty in obtaining safe and reliable campus day care for their children. The frequent and unfortunate result is that many of these students cannot complete their academic programs.

By partially subsidizing campus child care facilities, the State will reduce the expenses incurred by low-income student-parents for child care services, and encourage existing centers to expand and increase the number of children they can admit. Additionally, such a measure would provide incentives to create new campus child care facilities. Passage of S.4033, which creates a Campus Child Care Program, would not only meet the demand for such services, it would also enhance the State's goal of equal access to higher education.

This report will summarize the legislation discussed at the hearing held on May 16, 1983, as well as the testimony offered. Following the remarks of each witness, the report highlights specific recommendations which were offered to the Committee.

SUMMARY OF LEGISLATION

S.4033	A.7127
All public and independent colleges and universities may participate.	Only public colleges and universities may participate.
Appropriation: $500,000	Appropriation: $500,000
Center Contracts shall be created between the Department of Education and the participating institution.	Contracts between an institution and State or City University shall be defined through regulation.
Each institution must create a governing board which shall establish student-parent eligibility criteria. One's ability to pay must be taken into consideration when the fee policy is determined.	No specific requirement is stated in the bill.
Shared Funding for each center is defined. The institution, the students (including clients), the State (maximum contribution of $10,000) shall each contribute 33-1/3%.	A State-Institution matching grant (dollar for dollar) is required.
Applications by the institutions shall include a statement of objectives, costs of the program, and effectiveness of the program in meeting economically disadvantaged students' needs.	No specific requirements are found in the bill.
Annual Report must be submitted to the Commissioner of Education.	No specific requirements are found in the bill.

Gordon Ambach, Commissioner
New York State Education Department[1]

Commissioner Ambach strongly supported Senator LaValle's bill stressing the importance of child care opportunities at both public and independent colleges and universities. In surveys conducted by Cornell University on barriers to education for adults, the Commissioner indicated that home and family responsibilities ranked either first or second in importance in every area of the State. Through child care services that would be available under S.4033, many student-parents could matriculate in colleges and universities, thus extending equal access to postsecondary education. The Commissioner opposed A.7127 which would provide funds to only public universities. Furthermore, in identifying the desirability of S.4033 over the Assembly draft, Commissioner Ambach noted the following strengths of S.4033:

> First, Senate Bill 4033 would create a permanent program to address a long-term problem. The Assembly draft bill would be an appropriation for one year only with no assurance of continued support, administrative oversight or legislative oversight.
>
> Second, Senate Bill 4033 would treat State University, City University and the independent colleges and universities equally by authorizing a program under which institutions in any of the three sectors could contract. The draft Assembly bill would provide funds only to State University and City University excluding a majority of New York's degree-granting institutions which are in the independent sector and which enroll 42 percent of New York's student body.
>
> By appropriating the same sum for each system, the Assembly draft bill would treat State University and City University, in fact, unequally. An appropriation of $250,000, if divided among CUNY's 18 colleges, would provide an average of almost $14,000 each. Divided among State University's 64 campuses, $250,000 provides an average of less than $4,000 to each.
>
> The memorandum on the Assembly draft bill points out, in effect, that City University's need probably is more intensive than State University's but the disparity between the two appropriations on a per campus basis seems marked.
>
> Third, Senate 4033 seeks to assure that child care centers established under its provisions are effective in serving economically disadvantaged student-parents. The draft Assembly bill includes no similar provision. Equal access to higher education is a goal and, if we are to succeed in removing the barriers to education for those who need it in order to function productively in society, it is important that child care opportunities serve economically disadvantaged students.

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[1] See Appendix E "Summary of State Education Department Voluntary Registration of Nonpublic Nursery Schools and Kindergartens", pp. 21-22.

And finally, by establishing a campus child care program in the Education Department, Senate 4033 would give us an important tool to use in pursuing New York's goals of access to postsecondary education, assuring a diversity of postsecondary educational opportunities and promoting the effective use of our resources.

RECOMMENDATION:

Clarification is needed on the one-third contribution from the central administration. It is not clear whether the SUNY and CUNY Administration or the administration of each campus are to contribute one-third of the center's budget. Additional funds are needed for the Campus Child Program. One-half million dollars is not sufficient.

David Lichenstein, Coordinator
Child Care and Family Studies Program
State University at Stony Brook

Mr. Lichenstein supervises child care services offered at Stony Brook. He supported child care legislation to create a grant which, if passed, would offer eligible centers some continuity in funds. The campus student organization has contributed between $2,000 - $5,000 annually. State funds would allow expansion of the University's child care center and, therefore, an increase in admission of children. The enrollment at the Stony Brook Child Care Center is 50% children of students, 25% - 30% children of faculty, and the remaining are children of staff. He stated that the new children would be selected from the center's waiting list, which consists of 100 families. In accordance with the sliding scale, admission fees currently range from $45 to $200 per month. Mr. Lichenstein indicated that through S.4033, enrollment of women with families would increase and low income student-parents would have equal access to child care services.

RECOMMENDATION:

There is a distinct benefit in coordinating academic programs in early childhood education with campus child care centers.

Michael Caruso, Executive Director
Independent Student Coalition

Mr. Caruso supported Senator LaValle's bill creating a statewide campus child care program. While he expressed the inequity of A.7127 in not including independent colleges and universities, Mr. Caruso did agree with the provision in that bill which would allow staff and faculty members to be eligible for child care services. He agreed to survey the schools he represents to determine the amount of student association contributions to campus child care centers.

RECOMMENDATION:

Senate Bill 4033 should include eligibility for children of staff and faculty.

Mattie Cook, President
Malcolm-King: Harlem College Extension

Ms. Cook concentrated on the impact S.4033 would have in the college community where Malcolm-King is located. The majority of the school's 862 students are older adults who have been out of school from two to twenty years and have incomes from $0 to $5,999. She pointed out that prior to the addition of child care services at Malcolm-King, many students were forced to bring their children to class. The Campus Child Care Program as proposed by Senator LaValle would assist student-parents in pursuing a postsecondary education, and thus enhance the State's policy of equal access to postsecondary education.

RECOMMENDATION:

Funding for day care programs should be viewed as part of a comprehensive effort by the State to ensure access to higher education. The program should be offered in conjunction with other opportunity programs.

Steve Cox, Legislative Director
Student Association of State University (SASU)

Mr. Cox agreed that child care needs on State University campuses must be strengthened. He supported (1) appropriating $250,000 directly to SUNY Central Administration, (2) including staff and faculty, and (3) entering into contracts on a dollar-for-dollar matching basis. Recognizing the financial need among low-income student-parents, he agreed with provisions made in S.4033 for fee waivers; however, he disagreed that students should fund one-third of the campus child care center's budget.

RECOMMENDATION:

Child care legislation should include the possibility of servicing community children on a space-available basis. Child care centers should be run in conjunction with academic programs on the campus. The State should provide more than $500,000 for this program. It was suggested that since the independent schools already receive State support, they should not have equal access to these funds.

Robert Jefferson, Dean of Student Affairs
City University of New York (CUNY)

Mr. Jefferson, representing CUNY Central Administration, mentioned the scope and severity of the need for campus child care centers at CUNY. Twenty-two percent or 23,786 of CUNY's senior college and 33% of CUNY's community college students are parents. Of these students, 37% are black women, and 30% are Hispanic women who are heads of households and have dependent children. Facilities at all campuses are currently limited to a maximum of only 50 children per semester and therefore meet less than three percent of CUNY's child care needs. CUNY supports all efforts in developing a Campus Child Care Program.

RECOMMENDATION:

Staff and faculty should be eligible to participate in the program. Institutions should be permitted to establish eligibility criteria for the operation and funding of their respective individual college centers. A college within a multi-campus university could then apply to the university central office for funds upon demonstration that the criteria are met. Priority should not be granted to new child care centers, for it would penalize those institutions which have already created programs.

Dr. James S. Smoot, Vice Chancellor
for Employee Relations and Education Services,
State University of New York (SUNY)

Representing SUNY Administration, Dr. James S. Smoot mentioned the scope and severity of the need for campus child care facilities at SUNY campuses. Historically, Dr. Smoot recalled that Executive Order 32 (see Appendix B) issued in 1969, committed State support for child care centers in State agencies. Although its implementation was suspended, SUNY has maintained support of this service. As of 1982, 18 campus child care centers have been established at the four-year State-operated campuses with a current waiting list of over 383 student-parents. Given the obvious need among student-parents for the expansion of existing child care services, Dr. Smoot strongly supports the enactment of child care legislation.

RECOMMENDATION:

Limited community participation in the campus child care program should be available.

Doris Goldberg, M.D.
Director, Bureau of Child Health
New York City Department of Health

Dr. Goldberg strongly supported efforts by the State to partially subsidize campus child care facilities at CUNY campuses. She estimated that 276,000 low-income parents in New York City need publicly funded day care. There are only 62,000 available places, none of which are open to children of parents attending four-year colleges. She also testified on behalf of the Mayor's Office of Management and Budget (OMB). OMB does not favor a State mandated formula that would require the City, as sponsor of the community colleges, to contribute. In discussions with community colleges, OMB discovered that at present, central administrations are only making small contributions if any to such programs. They also disagree with language which required attention to low-income students as representing regulatory encroachment by the State Commissioner of Education (see Appendix D for NYC Health Code regulations).

RECOMMENDATION by OMB:

The funding in S.4033 should be amended from "at least thirty-three and one-third percent from the central administration, at least thirty-three and one-third percent from student resources, such as student fees and client fees" to "at least sixty-six and two-thirds percent from the central administration and/or student resources such as student fees and client fees." Additionally, delete lines 26 to 28 of page 2 which reads, "Each program shall demonstrate its effectiveness in meeting the demand of economically disadvantaged student parents."

Nuala McGann Drescher, President
United University Professions

Dr. Drescher supported direct allocation of funds to SUNY and CUNY boards of trustees, stating that this was the most cost-effective method of disbursing funds. She indicated that one of the most important pieces of evidence for the need of campus child care facilities is the decline in the number of 15 to 24 year-old students, and the increase in the number of older students. Older students often include displaced homemakers and workers seeking retraining and as such they very often have a real need for child care. Dr. Drescher concluded by stating that optimal day care includes a firm educational component, not simply a custodial service.

RECOMMENDATION:

The Day Care Center Licensing Regulations promulgated by the New York State Department of Social Services should be used only as a minimum measure for campus child care centers (see Appendix C). More stringent regulations should be enacted, especially regarding qualified personnel. Campus Child Care Directors should possess a New York State Teaching Certificate in early childhood education.

The New York State Experimental Pre-Kindergarten Program should serve as an appropriate model in campus centers that serve three and four-year-old children (see Appendix F).

Melvin Lowe, Chairman
City University of New York
University Student Senate (USS)

Mr. Lowe expressed the great need for State support for campus child care centers at CUNY. As a parent, he recognized the importance of quality child care and that the inability to pay for these services prevents many prospective student-parents from pursuing a postsecondary education. Recognizing the impact and importance of campus child care facilities, USS contributes a small percentage of funds from student activity fees, concerts, and fund-raisers. Unfortunately, such contributions are not consistent or on an annual basis.

Geraldine Price, Director
City College Child Development Center
City University of New York

Ms. Price was extremely supportive of child care legislation. The City College Campus Child Care Center charges a flat rate of $25.00 per week and enrolls from 45 to 50 children between the ages of three to six. Ms. Price indicated that over 60 percent of the parents are single, and a majority of them are female heads of households. At present, the center has a waiting list of 100 families with parents unable to enroll in college until child care is available. Furthermore, Ms. Price stated that campus child care is an economic issue. By completing a higher education, many student-parents can become tax paying and economically independent citizens. Testimony presented by three student-parents using such facilities, confirmed the importance of existing campus child care centers.

RECOMMENDATION:

Children of faculty should be included as participants of the program. A method and formula for providing continuous operational support for programs should be developed on a per unit or per child basis, and additional funds should be provided.

CONCLUSION AND RECOMMENDATIONS

This hearing served the valuable purpose of highlighting the State's commitment to providing assistance for programs which are critical to students in pursuit of higher education. The presented testimony reflected many years of day care service delivery and the witnesses offered the Legislature the benefit of their experience through their comments and suggestions.

Clearly the common denominator present throughout the testimony was the confirmation of the need for additional space at existing child care centers and perhaps more importantly, the need for new centers. The demand for child care services is now reaching critical proportions however and with the shift in demographics and the rising average age of college students, this demand will increase concomitantly.

Beyond affirmation of the value of this effort, several speakers also voiced the belief that any program should be available not only to students and their children but to children of faculty and staff and if possible to other children in the community. While the focus of this legislation is additional assistance to students, a good argument can be made that the influx of children from a broader range of backgrounds enhances the effectiveness of any program. In S.4033 there is provision for a child care center governing board which could establish guidelines for admission which would allow for this diversity while maintaining the intended concentration on students. The involvement of faculty, staff and members of the community who could pay higher fees would also help provide space for additional children.

Another valuable comment made by several witnesses was the importance of coordinating campus child care with campus academic programs in early childhood education. This linkage directly enriches both programs by providing organized intellectual stimulation for the children and invaluable experience for future teachers who could extend their background beyond textbook abstractions. Additionally, faculty involvement in student field experiences is facilitated by campus proximity.

Studies have consistently demonstrated the value of early intervention, especially for disadvantaged children. From the federal Head Start Program which began in the sixties to the New York State Experimental Pre-Kindergarten Program, now 14 years old, longitudinal studies of children so trained have shown significant advances in both verbal and quantitative skills. Additionally, these programs have broad

economic benefits: they

1. permit parents to enter the labor force upon completion of their education, thereby reducing dependency on welfare,
2. contribute directly to the local economy by paying wages to local people and purchasing materials from local suppliers, and
3. reduce the need for remedial education programs in later years.[2]

Where our colleges and universities are currently offering programs in early childhood education this evidence strongly supports the existence or creation of campus child care centers. Comparisons of State Education Department Inventory of Registered Programs and lists of existing campus child care centers indicate the following:

	Campuses Offering Early Child Care Programs	Campuses Providing On-Campus Child Care
SUNY	24	28
CUNY	15	8
Independent	56	16

Another related academic discipline which can benefit from field experience in the campus child care center is the health services. For example, at the Child Development Center at City College, nursing students work with the children and offer health care information to parents, staff and students. The Senate Higher Education Committee is currently surveying the colleges where the academic programs exist without campus child care centers to determine whether they are absent due to such reasons as lack of need or finances. This information should provide additional assistance neccessary to properly accommodate the needs of those campuses where the child care centers should be most successful.

Minimum qualifications of child care center staff members was another factor raised at the hearing. While it is important to limit restrictions which could prevent programs from operating, the Committee will consider whether existing

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[2] Issues in New York State Child Care, Background Paper #3 "Some Recent Studies Relating to the Economic Impact of Publicly Subsidized Child Day Care Programs", May 1982 Day Care Forum.

Department of Social Services regulations are adequate in this regard for these programs.

In conclusion, this committee is satisfied that the need for campus child care centers is a valid State purpose and it anticipates favorable consideration of legislation to fund these centers in the next session of the Legislature. In the interim, additional data will be collected to insure that the final bill will address the concerns raised at the hearing.

APPENDICES

APPENDIX A

STATE OF NEW YORK

4033

1983-1984 Regular Sessions

IN SENATE

March 7, 1983

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing a campus child care program and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new article one hundred twenty-seven to read as follows:

ARTICLE 127

CAMPUS CHILD CARE PROGRAM

Section 6350. Legislative intent.

6351. Campus child care program.

6352. Funding.

6353. Application.

6354. Reports.

§ 6350. Legislative intent. This article is enacted for the purpose of assisting student-parents in their pursuit of higher education by providing their children with a safe and reliable campus child care center. The lack of campus child care facilities, and the additional expense incurred for such services presents a distinct disadvantage for some student-parents in academically performing to the best of their ability and aspiring to goals of self-sufficiency. Partially subsidizing campus child care facilities by the state will (a) lessen the expenses incurred among low-income student-parents for child care services, (b) encourage existing centers to expand and thereby increase the number of children it can admit, and (c) give an incentive to create new campus child care centers. Such an incentive is desperately needed in a time when the demand for campus child care services exceeds the capacity of its facilities.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD07607-03-3

§ 6351. Campus child care program. The commissioner shall contract with the boards of trustees of degree granting public and independent post-secondary institutions for the purpose of providing campus child care centers for terms of three years. Each participating institution shall establish a child care center governing board. The membership of the board shall include, but not be limited to, child care center staff members, student-parents utilizing the center services and representatives of the administration of the institution. Student-parent eligibility shall be determined by the governing board. Admission shall be based upon, but not be limited to, academic load, the number of pre-school children dependent on the student-parent, and family income. The board shall monitor the activities and functions of the center, making determinations such as fees, financial eligibility for fee waivers and the selection of those student-parents deemed eligible.

§ 6352. Funding. Institutions may apply for state matching funds upon a demonstration that the maintenance and operation costs of each center shall be shared as follows: at least thirty-three and one-third percent from the central administration, at least thirty-three and one-third percent from student resources, such as student fees and client fees, and thirty-three and one-third percent from the state, or a maximum of ten thousand dollars whichever is less.

§ 6353. Application. Institutions intending to contract with the state for subsidizing a campus child care center shall file an application with the commissioner. The application shall include a description of the proposed program, estimated cost, objectives, extent of the institution's and students' support. Each program shall demonstrate its effectiveness in meeting the demand of economically disadvantaged student-parents. Nothing herein shall be interpreted to relieve compliance with any state laws or regulations or local ordinances regulating day care centers.

§ 6354. Reports. The commissioner shall annually submit a report to the legislature of the activities of each institution's governing board and campus child care center which received state funds. The commissioner shall request information necessary to complete these reports from the boards of trustees. The report shall include information regarding the objectives, costs, cost efficiency and effectiveness of each program, and future plans of the program.

§ 2. The sum of five hundred thousand dollars ($500,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury in the general fund not otherwise appropriated to the department of education and made immediately available, for the expenses of the campus child care program, as added by section one of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved in the manner prescribed by law.

§ 3. This act shall take effect on the first day of September next succeeding the date on which it shall have become a law, provided, however that qualified applicants from new campus child care centers shall receive preference in receipt of these funds.

S.4033 by Senator LaValle

MEMORANDUM

In support of AN ACT to amend the education law, in relation to establishing a campus child care program and making an appropriation therefor

PURPOSE

This bill is proposed for the purpose of assisting student-parents in their pursuit of a higher education by providing their children with a safe and reliable campus child care center.

JUSTIFICATION

The lack of campus child care facilities and the additional expense incurred for such services presents a distinct disadvantage for some student-parents in academically performing to the best of their ability and aspiring to goals of self-sufficiency. Of approximately 219 public and nonpublic colleges and universities in New York, only 54 institutions have campus child care centers. Additionally, the service can be expensive, especially for the indigent who may be charged from $40 to $200 per week. Consequently, because of the inability to pay and because the center has reached its maximum capacity, student-parents are unable to admit their children in campus child care centers.

By partially subsidizing campus child care facilities, the State will (a) lessen the expenses incurred among low-income student-parents for child care services, (b) encourage existing centers to expand and thereby increase the number of children it can admit, and (c) give an incentive to create new campus child care centers. Such an incentive is desperately needed in a time when the demand for campus child care services exceeds the capacity of its facilities.

FISCAL IMPLICATIONS

The Legislature would appropriate $500,000 to the State Education Department for the implementation of the Campus Child Care Program. Participating campus child care centers will receive 33 1/3% State matching funds or a maximum of $10,000 -- whichever is less. Funds allocated to each campus child care center shall not exceed $10,000.

EFFECTIVE DATE

This act shall take effect on the first day of September next succeeding the date on which it shall have become a law.

Executive Order Relating to State Program for Day Care Centers for Children

STATE OF NEW YORK—EXECUTIVE CHAMBER

EXECUTIVE ORDER

Relating to State Program for Day Care Centers for Children

I, Nelson A. Rockefeller, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, by Executive Order, do hereby declare that all State Departments and agencies shall make appropriate space available in suitable buildings under their jurisdiction for the operation of day care centers for children of pre-school and primary school age.

1. The State Department of Social Services shall make and maintain an inventory of spaces in public buildings which, pursuant to the rules of the State Board of Social Welfare, are suitable for use or may be converted to use as a day care center.

2. All State Departments and agencies shall advise the State Department of Social Services of space becoming vacant which may be suitable for such use or of any space which may become available through construction, reconstruction or conversion which may be suitable for such use.

3. The State Department of Social Services shall advise the appropriate social services district and voluntary agencies operating in such district as to the availability of such space and shall assist such district or agency in the establishment of a day care program in such space, in accordance with the applicable provisions of law and the rules of the State Board of Social Welfare.

4. Such facilities shall be available to all children of appropriate age who are residents of the community to be served, but preference shall be given to those children who are most in need of such care, including the children of families receiving welfare assistance.

5. The State Departments of Education, Health, Labor, Commerce, Mental Hygiene, and Agriculture and Markets, the State Division of Housing and Community Renewal, the Office of General Services, and the Social Development Planning Commission shall make their personnel and services available to assist the State Department of Social Services in the development and evaluation of a comprehensive program of day care for children of pre-school and primary school age.

GIVEN under my hand and the Privy Seal of the State at the Capitol in the City of Albany this 28th day [L. S.] of March in the year of our Lord one thousand nine hundred sixty-nine.

By the Governor: (Signed) NELSON A. ROCKEFELLER

(Signed) ALTON G. MARSHALL
Secretary to the Governor

Appendix C

SUMMARY OF N.Y.S. DEPARTMENT OF SOCIAL SERVICES REGULATIONS (18 NYCRR PART 418) CHILD CARE CENTERS

Child care centers outside of New York City which serve any child under six years of age for more than three hours per day must be licensed by the New York State Department of Social Services. In order for a center to receive a permit or license, it must comply with departmental regulations which are quite specific, such as creating minimum qualifications for staff and specifying in square footage the space required for each child. A synopsis of the regulations follows:

ADMINISTRATION (Section 418.2)

When a day care center operates with a governing board, the board is responsible for (1) providing by-laws, (2) assuring that members are not paid employees of the center, (3) establishing clear lines of communication, and distributing responsibilities among its members, and(4) holding at least two full meetings annually. The board is also responsible for maintaining minutes and informing the Department of Social Services of any changes in personnel and location.

REQUIRED DOCUMENTATION (Section 418.4)

To complete an application for a license, several documentations are required. They are as follows:

a. reports of inspections and approval from local authorities and officials;
b. proof of acquisition of general liability insurance;
c. additional documentation related to administration;
d. satisfactory evidence of finances sufficient to operate properly and in accordance with rules of Part 418 NYCRR;
e. when a day care center is incorporated, a copy of the certificate of incorporation must be included as well as verification of the certificate being filed with the Secretary of State;
f. vehicle inspection of transportation, if provided;
g. services program description;
h. documentation of staffing procedures; and
i. a diagrammatic floor plan of the entire day care center building.

ADMISSION OF CHILDREN (Section 418.7)

For admission in a day care center, a child must be at least eight weeks old and have written proof within 30 days prior to admission of a medical examination by a physician. Physicians who administer medical exams must sign a written statement giving assurance that the children are free from contagious or communicable diseases. Additionally, physicans must assure that children have received prophylaxis against such diseases. At the time of admission, the day care center is to acquire a written policy statement from parents or guardians explaining the center's policies on the care of children.

PHYSICAL PLANT (Section 418.8)

Buildings, premises, equipment and furnishings used for a day care center must be safe and suitable.

For example:

1. Rooms to be occupied by children must have a temperature of at least 68 degrees as measured by a thermometer located not more than three feet from the floor;
2. Children must be accommodated in well-proportioned rooms having a minimum space of 36 square feet per child; and
3. Toilet facilities must be provided in a separate, properly ventilated room. One sanitary toilet and one sanitary wash basin for every group of 15 children is deemed adequate.

SAFETY REQUIREMENTS (Section 418.10)

Each day care center must install suitable precautions for fire and safety hazards. Fire drills are to be executed at least once a month with adequate means of egress. Additionally, centers are to install firefighting equipment.

STAFFING (Section 418.11)

Minimum qualifications for a full-time person in a center with less than 45 children are an associate of arts degree in a child-related area or two years of college with 12 credits of child-related courses, and one year of related supervisory experience. In a center with more than 45 children, several options exist as minimum staff qualifications for both full-time and part-time positions. Furthermore, provisions for staff-child ratios and supervision are provided for in other sections of the regulations.

SPECIAL PROVISIONS FOR CHILDREN UNDER THREE YEARS OF AGE (Section 418.17)

Several provisions are given for the care of infants. "Infants" are defined as children from eight weeks to three years of age. Among the regulations for infant care is the requirement that separate quarters or areas must be provided away from older children. Also, a registered nurse is to visit the center at least once a week to supervise and provide information on infant care. Additionally, when applicable, parents are to provide food for their children.

Additional information on the licensing and regulation of day care centers outside of New York City is available from the regional licensing supervisor located in each region of the State.

Appendix D

SUMMARY OF NEW YORK CITY HEALTH CODE ARTICLE 47 DAY CARE SERVICES

Day care centers located in New York City which serve children under six years of age are licensed by the New York City Department of Health, Division of Day Care. There are many similarities between the regulations of the Department of Social Services and the New York City Health Codes. Some of the major differences are in staff qualifications, the space required for each child, and the location of a center.

ADMISSIONS (Section 47.07)

A child who has a medical examination and who has been immunized, and is two years of age and over may be admitted to a day care center. A special permit must be attained for infant care from the Commissioner. "Infant" is defined as a child under two years of age and over two months old.

STAFF (Section 47.09)

An educational director shall be in charge of programs at a day care center. The director must be a qualified teacher in early childhood and have a minimum of two years experience as a group teacher in a program for children under six years of age. Anyone in charge of a group of children must be licensed by the City Board of Education or certified by the State Education Department as a teacher in the field of early childhood education.

PHYSICAL FACILITIES (Section 47.13)

The minimum allowance of space in a day care center for each child is 30 square feet. Toilet facilities are the same as outlined in the regulations of the Department of Social Services. A day care service in New York City, however, must not operate above the third floor of a building unless an elevator is provided.

Additional information regarding the licensing of day care centers in New York City may be obtained from the Bureau of Child Health, Division of Day Care.

Appendix E

SUMMARY OF STATE EDUCATION DEPARTMENT VOLUNTARY REGISTRATION OF NONPUBLIC NURSERY SCHOOLS & KINDERGARTENS (8 NYCRR PART 125)

Beyond local fire, health, and zoning regulations, nonpublic nursery schools and kindergartens which serve children under six years of age and operate for less than three hours per session, are not governed by mandatory regulations. The Commissioner of Education has, however, developed regulations and while the process is voluntary, many of the regulations are similar to those of the Department of Social Services.

GENERAL (Section 125.1)

As used in the regulations, "school" means a nonpublic nursery school or kindergarten organized for the purpose of educating a group of six or more children less than seven years of age, under the supervision of qualified teachers, providing an adequate program of learning activities and maintaining good standards of health and safety.

STAFF REQUIREMENTS (Section 125.6)

The primary staff positions are:

(a) Educational Director

(1) The educational director shall hold a New York State certificate or its equivalent in (i) early childhood education (nursery, kindergarten and primary grades), or (ii) nursery-kindergarten, or (iii) elementary education N-6 or K-6 with specialized preparation for teaching in early childhood grades, or (iv) shall present evidence of substantially equivalent instruction and experience. Additionally, the director shall give evidence of instruction and/or experience in supervision and administration.

(b) Group Teacher

Group teachers in nursery schools and/or kindergartens shall be certified as indicated in Subdivision (a)(1) above. However, years of applicable employment experience with some appropriate educational background may be exchanged for the requirements under (a)(1).

ADMISSION (Section 125.9)

(a) Kindergarten

A kindergarten shall not admit a child who is younger than the age of entrance into the public schools established by the school district in which that child resides.

ADMISSION (Section 125.9) - Continued

(b) Nursery School

A nursery school shall not admit a child in any school year who is under three years of age on December 31.

For further information contact the Bureau of Elementary School Supervision, State Education Department.

Appendix F

NEW YORK STATE EXPERIMENTAL KINDERGARTEN PROGRAM

The New York State Experimental Prekindergarten (PreK) Program was started in 1966 to determine whether organized preschool educational experiences can help overcome potential education deficits in the backgrounds of disadvantaged children. Funds were made available to selected school districts to provide a comprehensive educational program for three and four-year-old children. State funding has continued since, ranging from $5 million in the first year to a high of $10.1 million. During 1981-82, $9.46 million in state funds were allocated to the program.

Each year the program serves approximately 5,000 four-year-old children and 1,500 three-year-old children.

The Prekindergarten Program

The experimental Prekindergarten Program was designed to serve children who, because of conditions in their homes or neighborhoods, may not be able to receive the maximum benefit from school. Children are selected for the program on the basis of low economic status and special needs resulting from overcrowded housing, racial segregation, chronic illness in the family, or a family record of poor school achievement.

The program gives special attention to the individuality of learning of each child, taking into account differences in rates of learning and modes of learning. Relationships are sought between various areas of learning. Self-initiated and independent learning of children are reinforced. The process of learning is viewed as continuous, with new learning building on the old.

The program has four components:

1. In-school experience. The in-school experience for children is based on their interests, needs and strengths. Facilities, equipment, materials, and activities are chosen to capitalize on the ways in which children learn.
2. Health services. Physical, mental, dental, and nutritional services are provided. They include preventative health education, examinations, and assistance in getting immunizations and treatment through proper community agencies.
3. Social Services. This assistance helps families to become independent in meeting their own needs and in using community resources.

4. Involvement of parents. The early childhood education program supplements the home, reinforces its values and emphasizes the contribution of the parent as the first teacher. Parents are involved in a number of ways, including: employment in the program, home visits by staff, parent visits to the school, educational programs on child-rearing practices and skills and participation in decision making about the program.

The guidelines (State Education Department, undated) for districts to use in preparing applications for the Experimental Prekindergarten Program call for "a highly individualized, well-balanced program that recognizes each child as a whole and unique human being and places emphasis on the total environment, indoors and outdoors (p. 1)."

The goals of the program (State Education Department, September 1971) are:

1. To enhance thinking.
2. To foster a sense of trust in adults and in the children's environment.
3. To develop an adequate self-concept.
4. To develop feelings of confidence and self-worth.
5. To integrate the functions of communication.
6. To develop problem-solving capabilities.
7. To stimulate imagination.
8. To develop self-discipline.

While districts are permitted some latitude in implementation, the program should include the following, as excerpted from the guidelines:

1. The use of expressive materials and activities which put a premium on personal choice and invention rather than on response to teacher direction.
2. Planning for individual differences, for experiences geared to a wide range of ability, and for materials geared to many interest levels.
3. Opportunities for individual interactions with materials, experiences, other children and adults, and freedom to move from group to group and from one interest center to another.
4. Activities and materials which promote intellectual development, independence and body mastery.
5. Highly individualized contracts and highly personalized relationships with supportive adults.

6. An active workshop approach, namely: active involvement, handling, and constructing, coupled with purposeful trips and verbal labeling.
7. An environment which provides a few carefully placed objects, sufficient space and small groups with few auditory distractions.
8. Adult models of correct speech, constant guidance in providing appropriate labels to the environment and encouragement of any attempt of the child to communicate.
9. Opportunities to make plans and observe cause-and-effect relationships.
10. Systematic encouragement of parents to participate in the program.
11. An interdisciplinary approach to educating children.

Excerpted from: "Evaluation of the New York State Experimental Prekindergarten Program", Final Report, The State Education Department, February 22, 1982

Appendix G

CAMPUS DAY CARE CENTERS

SUNY *	Age	Enrollees	Parent Fees High	Parent Fees Low	Current Budget	Under S.4033 1/3 Grant
University Centers						
Albany	0-5 yrs. + over	64	$ 68/weekly	$ 32/weekly	$106,984	$ 10,000
Binghamton	0-5 yrs. + over	106	166/month	123/month	110,000	10,000
Buffalo	5 yrs. + over	106	275/semester	135/semester	35,000	10,000
Stony Brook	5 yrs. + under	120	240/month	40/month	160,000	10,000
Health Science Center						
Upstate	5 yrs. + under	22	$ 48/weekly	$ 42/weekly	53,506	10,000
University Colleges						
Buffalo	5 yrs. + under	46	$ 1.25/hr. faculty	$ 1.00/hr.	52,000	10,000
Fredonia	3-5 yrs. + over	59	$ 59/weekly	$ 23/weekly	88,901	10,000
New Paltz	0-5 yrs. + over	69	$ 1.00/hr. non-student	$ .85/hr. student	46,000	10,000
Old Westbury	0-5 yrs. + over	61	$140/month	$ 60/month	104,236	10,000
Oneonta	3-5 yrs.	16	n/a **	n/a	n/a	n/a
Purchase	0-5 yrs.	22	$ 70/5 full days	$ 29 / 5 full days	38,400	10,000
Cobleskill	3-5 yrs.	105	-0-	-0-	n/a	n/a
Farmingdale	0-5 yrs.	62	-0-	-0-	4,000	10,000

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** not available

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SUNY, cont'd.	Age	Enrollees	Parent Fees High	Parent Fees Low	Current Budget	Under S.4033 1/3 Grant
Community Colleges						
Cayuga	0-5 yrs. + over	28	$1.50/hr.	$ 1/hr.	n/a	n/a
Columbia-Greene	3-5 yrs.	18	1.25/hr (Drop-In)	1/hr. Contract	$ 17,214	$ 5,738
Corning	0-5 yrs. + over	34	1.10/hr. Staff	.80/hr. Student	24,400	8,133
Dutchess	2-5 yrs.	70	1.20/hr.Staff 1.25/hr.Faculty 1.30/hr. Comm.	1/hr. Student	47,700	10,000
Erie						
South	0-5 yrs.	56	1.25/hr.	.50/hr.	n/a	n/a
City	n/a	55	n/a	n/a	n/a	n/a
Genesee	0-5 yrs.	75	.90/hr. (1st Child) .50/hr. (2nd Child)	n/a	n/a	n/a
Mohawk Valley	3-5 yrs. + over	35	2.25/3 hrs. Staff	1.75/3 hrs. Student	9,000	3,000
Nassau	0-5 yrs. + over	74	1.90/hr.	1.25/hr.	116,727	10,000
Niagara	3-5 yrs. + over	56	n/a	n/a	15,000	5,000
Onondaga	0-5 yrs.	31	5.50/daily, No sliding scale		45,000	10,000
Rockland	3-5 yrs.	50	2.00/hr., No sliding scale		51,154	10,000
Sullivan	3-5 yrs.	20	.60/hr.		22,037	7,345
Tompkins-Cortland	3-5 yrs. + over	45	.90/hr. (Student) 1.00/hr. (Faculty) 1.00/hr. (Other)		33,600	10,000

SUNY	Age	Enrollees	Parent Fees High	Parent Fees Low	Current Budget	Under S.4033 1/3 Grant
Community College, cont'd.						
Ulster	3-5 yrs.	44	$ .75/hr.		$ 13,035	$ 4,345
Cornell						
(1)	3-5 yrs.	30	$70/month	$54/month	22,690	7,563
(2)	0-5 yrs.	44				
				SUNY subtotal in projected grants		$201,125
CUNY *						
Senior Colleges						
Brooklyn	2 yrs. 9 mo. to 7 yrs.	n/a	n/a		40,000	10,000
City	2 yrs. 9 mo. to 6 yrs.	n/a	n/a		107,000	10,000
New York City Technical College	2 yrs. 9 mo. to 6 yrs.	n/a	n/a		n/a	n/a
College of Staten Island	2 yrs. 9 mo. to 6 yrs.	n/a	n/a		30,000	10,000
CUNY Community Colleges						
Hostos Emergency Drop-in	5 yrs. + over	n/a	n/a		17,000	5,666
Kingsborough	2 yrs. 9 mo. to 6 yrs.	n/a	n/a		25,000	8,333
LaGuardia	2 yrs. 9 mo. to 6 yrs.	n/a	n/a		76,000	10,000
Medgar Evers	3 yrs. to 12 yrs.	n/a	n/a	Not operational in 1981 - 1982		
				CUNY subtotal in projected grants		$ 53,999

Independent Colleges & Universities *	Age	Enrollees	Parent Fees High	Parent Fees Low	Current Budget	Under S.4033 1/3 Grant
Adelphi	n/a	68	n/a		$ 45,000	$ 10,000
Bard	n/a	16	n/a		6,800	2,266
Columbia (Greenhouse)	n/a	60	n/a		90,000	10,000
Columbia (Tompkins Hall)	n/a	26	n/a		37,000	10,000
Columbia (Red Ball-on Day)	n/a	45	n/a		150,000	10,000
Cornell	n/a	33	n/a		16,000	5,333
Hamilton	n/a	21	n/a		35,000	10,000
Hofstra	n/a	85	n/a		21,000	7,000
Malcolm King	n/a	40	n/a		3,400	1,166
Marist	n/a	36	n/a		16,000	5,333
Rochester Institute	n/a	44	n/a		63,000	10,000
Russell Sage	n/a	55	n/a		65,000	10,000
St. Thomas Aquinas	n/a	40	n/a		24,000	8,000
Union	n/a	21	n/a		30,000	10,000
Vassar	n/a	14	n/a		32,000	10,000
Wells	n/a	24	n/a		4,800	1,600
			Independent Colleges & Universities subtotal in projected grants			$ 120,699
			TOTAL in projected grant			$ 375,825

* All figures have been extrapolated from 1982 reports.